

CITY OF RHINELANDER COMMON COUNCIL
MONDAY, NOVEMBER 8, 2010 - 6:00-8:00 P.M.

City Hall Council Chambers
135 S. Stevens St., Rhineland, WI

CALL TO ORDER

The regular meeting of the Common Council of the City of Rhineland was called to order by Mayor Johns at 6:00 p.m. Proper notification was given to the press and the public.

ROLL CALL

The following Alderpersons were present: Belliveau, Freudenberg (in at 6:05 p.m.), Gleason, Kelly, Paszak, Pelletier, Salzer and Young.

Others present: Golf Course Superintendent Joe Andersen, Bob Berns, Sue Bessert of Downtown Rhineland, Inc., Mayor Dick Johns, City Administrator Bill Bell, Public Works Director Randy Knuth, Ken Krall of WXPB, Sean Lentz of Ehlers & Associates, Finance Director Julie Ostrander; Parks, Buildings & Grounds Director Gunder Paulsen, Assistant Water/Wastewater Superintendent Tim Phelan, Clerk/Treasurer Mary Richardson, City Attorney Phil Parkinson, Police Chief Mike Steffes, Scott Steeno of AT&T/Cingular Wireless, Chamber of Commerce Executive Director Kim Swisher, Joe Van DeLaarshot of the Northwoods River News, Fire Chief Terry Williams and Water/Wastewater Superintendent John Zatopa.

APPROVAL OF MINUTES

MOTION BY ALD. PASZAK, SECOND BY ALD. BELLIVEAU, TO APPROVE THE COMMON COUNCIL MEETING MINUTES OF OCTOBER 11, 2010. 7 AYE, 0 NAY, 1 ABSENT (FREUDENBERG); MOTION CARRIED.

APPEARANCES BY CITIZENS

Chamber of Commerce Executive Director Kim Swisher presented the annual Room Tax update.

COMMUNICATIONS AND PETITIONS – None.

CONSENT AGENDA

MOTION BY ALD. SALZER, SECOND BY ALD. PASZAK, TO APPROVE THE BARTENDER LICENSE APPLICATION OF VICKY MILLER, 1327 N. STEVENS ST; TO SET FOR PUBLIC HEARING ORD. 41-10, LOCATE 2 HANDICAP STALLS FOR 51 N. BROWN ST; AND TO SET FOR PUBLIC HEARING ORD. 42-10, CREATING CITY ADVISORY COMMITTEE TO OVERSEE PIONEER PARK HISTORICAL COMPLEX. 8 AYE, 0 NAY; MOTION CARRIED.

UNFINISHED BUSINESS AND PUBLIC HEARINGS

MOTION BY ALD. GLEASON, SECOND BY ALD. KELLY, TO ADOPT ORD. 38-10, LOCATE 4 HANDICAP PARKING STALLS ALONG ONEIDA AVENUE. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. BELLIVEAU, SECOND BY ALD. FREUDENBERG, TO ADOPT ORD. 39-10, ANNEXATION OF PROPERTY LOCATED AT 3378 AIRPORT ROAD. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. SALZER, TO AMEND ORD. 40-10, AMENDING MUNICIPAL CODE PROVISIONS PERTAINING TO DEMOLITION OF BUILDINGS, TO ADD THE LANGUAGE "WITHOUT PRIOR WRITTEN AUTHORIZATION BY THE INSPECTION DEPARTMENT" TO SUBPARAGRAPH (4). 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. SALZER, TO ADOPT ORD. 40-10, AMENDING MUNICIPAL CODE PROVISIONS PERTAINING TO DEMOLITION OF BUILDINGS, AS AMENDED. 8 AYE, 0 NAY; MOTION CARRIED.

COMMITTEE, BOARD AND COMMISSION REPORTS

Airport Commission – Nothing to report.

Board of Public Works – Nothing to report.

Finance, Wage & Salary

MOTION BY ALD. PELLETIER, SECOND BY ALD. GLEASON, TO APPROVE PAYMENT OF CLAIMS IN THE AMOUNT OF \$3,053,939.56. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. KELLY, TO ADOPT RESOLUTION NO. 2010-24, APPROVING CONSOLIDATION OF ANIMAL SHELTER WITH PARKS, BUILDINGS & GROUNDS AND CREATING JOB DESCRIPTION. ROLL CALL: 7 AYE, 1 NAY (FREUDENBERG); MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. BELLIVEAU, TO ADOPT RESOLUTION NO. 2010-29, RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,250,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2010B. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. BELLIVEAU, TO TABLE ADOPTION OF RESOLUTION NO. 2010-30, APPROVING JOB DUTIES REASSIGNMENT FOR UTILITY BILLING CLERK AND THE CREATION OF A PAYROLL SPECIALIST POSITION. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. BELLIVEAU, TO TABLE ADOPTION OF RESOLUTION NO. 2010-31, APPROVING JOB DUTIES REASSIGNMENT FOR OFFICE ASSISTANT POSITION TO INCLUDE ANIMAL SHELTER. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. SALZER, TO APPROVE DELTA DENTAL RENEWAL FOR 2011. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. FREUDENBERG, TO APPROVE CITY-WIDE BORROWING PROJECT BREAKDOWN, INCLUDING PURCHASE OF ACCOUNTING SOFTWARE UPGRADES. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

Golf Course

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. PASZAK, TO APPROVE 2011 GOLF COURSE FEES FOR CITY EMPLOYEE MEMBERSHIPS.

MOTION BY ALD. KELLY, SECOND BY ALD. FREUDENBERG, TO TABLE 2011 GOLF COURSE FEE STRUCTURE, 2011 GOLF COURSE FEES FOR CITY EMPLOYEE MEMBERSHIPS, AND 2011 GOLF COURSE FEES FOR COPORATE MEMBERSHIPS. 8 AYE, 0 NAY; MOTION CARRIED.

Parks, Buildings & Grounds – Nothing to report.

Planning Commission

MOTION BY ALD. GLEASON, SECOND BY ALD. PASZAK, TO APPROVE CERTIFIED SURVEY MAP FOR HABITAT FOR HUMANITY. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. FREUDENBERG, TO APPROVE OPTION AND LEASE AGREEMENT WITH AT&T/CINGULAR WIRELESS. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. PELLETIER, TO APPROVE SITE PLAN AND CONDITIONAL USE PERMIT TO AT&T/CINGULAR WIRELESS FOR THE PURPOSE OF CONSTRUCTING A 150' CELLULAR MONOPOLE TOWER ON THE SOUTHWEST CORNER OF THE SOUTH COURTNEY STREET MUNICIPAL PARKING LOT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. PELLETIER, TO APPROVE OPTION AND LEASE AGREEMENT WITH AT&T/CINGULAR WIRELESS. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. BELLIVEAU, SECOND BY ALD. FREUDENBERG, TO ADOPT RESOLUTION NO. 2010-32, ADOPTING THE ONEIDA COUNTY ALL HAZARDS MITIGATION PLAN. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. SALZER, TO APPROVE SITE PLAN FOR MAURICES, 1222 LINCOLN STREET. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. PELLETIER, TO APPROVE SITE PLAN FOR SPEE-DEE DELIVERY, TO BE LOCATED OFF AIRPORT ROAD. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PASZAK, SECOND BY ALD. KELLY, TO APPROVE CONDITIONAL USE PERMIT TO RHINELANDER HOUSING AUTHORITY, 411 W. PHILLIP ST. FOR THE PURPOSE OF ADDING A 30-SF DOUBLE-FACED, DOWNWARD-LIGHTED SIGN ON 25.5-SF BRICK PILLARS, 9' FROM THE FRONT PROPERTY LINE. 8 AYE, 0 NAY; MOTION CARRIED.

Protection of Persons and Property

MOTION BY ALD. YOUNG, SECOND BY ALD. KELLY, TO APPROVE THE LATE BARTENDER APPLICATIONS OF JENNIFER L. GOYINS, 4602 E. BALSAM LANE AND JOHN F. KREBSBACH, 655 COOLIDGE AVE. 8 AYE, 0 NAY; MOTION CARRIED.

Water & Wastewater Utilities

MOTION BY ALD. PELLETIER, SECOND BY ALD. FREUDENBERG, TO APPROVE QUOTE OF A-1 EXCAVATING, INC. FOR SHEPARD STREET SEWER LINE REPLACEMENT AT A COST OF \$79,850. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. PASZAK, TO APPROVE RATIFICATION OF PAY REQUEST #11 IN THE AMOUNT OF \$1,638,620.39 FOR THE WASTEWATER TREATMENT PLANT PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. FREUDENBERG, TO APPROVE AECOM CHANGE ORDER #1 FOR GEOTECHNICAL EVALUATION REVIEW, BARNES STREET SEWAGE LIFT STATION PROJECT, IN AN AMOUNT NOT TO EXCEED \$20,000. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. KELLY, TO APPROVE CHANGE ORDER #4 IN THE AMOUNT OF \$4,736.00 FOR 2010 UTILITY IMPROVEMENTS – PHILLIP STREET PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER , SECOND BY ALD. FREUDENBERG, TO APROVE UTILITY’S SHARE OF CHANGE ORDER #8 IN THE AMOUNT OF \$27,063 FOR THE 2010 WATER MAIN, SANITARY SEWER & SEWAGE LIFT STATION – BARNES STREET AND EASTERN AVENUE PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

NEW BUSINESS

MOTION BY ALD. PASZAK, SECOND BY ALD. FREUDENBERG, TO APROVE CITY’S SHARE OF CHANGE ORDER #8 IN THE AMOUNT OF \$2,000 FOR THE 2010 WATER MAIN, SANITARY SEWER & SEWAGE LIFT STATION – BARNES STREET AND EASTERN AVENUE PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PASZAK, SECOND BY ALD. YOUNG, TO APPROVE REVISED LIST OF ELECTION OFFICIALS FOR 1/1/10-12/31/11, TO INCLUDE MAYORAL APPOINTMENT OF PATRICIA SUMMERS, 124 E. ANDERSON ST. 7 AYE, 0 NAY, 1 ABSTENTION (PELLETIER); MOTION CARRIED.

MOTION BY ALD. SALZER, SECOND BY ALD. PELLETIER, TO ADJOURN INTO EXECUTIVE SESSION PURSUANT TO §19.85(1)(g), WIS. STATS., TO CONFER WITH LEGAL COUNSEL REGARDING THE BARNES AND PHILLIP STREET PROJECTS, AND LIABILITY CLAIM RELATING TO SEWER BACKUP ON MESSER STREET. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. KELLY, SECOND BY ALD. YOUNG, TO CONTINUE RETAINING CITY ATTORNEY PHIL PARKINSON TO REPRESENT THE CITY OF RHINELANDER IN THE PHILLIP STREET MATTER. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. BELLIVEAU, SECOND BY ALD. YOUNG, TO DENY THE LIABILITY INSURANCE CLAIM OF TAMMY JOHNSON IN THE AMOUNT OF \$5,604.27 FOR A SEWER BACKUP AT 818 MESSER STREET. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. KELLY, SECOND BY ALD. SALZER, TO ADJOURN FROM EXECUTIVE SESSION AND RECONVENE IN OPEN SESSION. 8 AYE, 0 NAY; MOTION CARRIED.

MISCELLANEOUS BUSINESS AND FUTURE AGENDA REQUESTS – None.

ADJOURNMENT

MOTION BY ALD. KELLY, SECOND BY ALD. YOUNG, TO ADJOURN THE NOVEMBER 8, 2010 COMMON COUNCIL MEETING AT 8:00 PM. 8 AYE, 0 NAY; MOTION CARRIED.

Approved by

Received by